

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSEPH G. FALBA, TIMOTHY E.
BUTCHER, and TERRY COLEMAN,

Plaintiffs,

v.

CASE NO. 1:04-CV-666

CSX TRANSPORTATION, INC.,

HON. ROBERT HOLMES BELL

Defendant.

MEMORANDUM OF RULINGS ON
DEPOSITION OBJECTIONS BEFORE TRIAL

The following depositions' objections were submitted to this court for review and ruling prior to trial and have been ruled on in the following manner:

1. **Russell Hartwick, D.O. Deposition, March 13, 2006:**

Page 22, line 16 through page 23, line 1 - OVERRULED

Page 32, line 3 - line 8 - OVERRULED

2. **Gary Teigland, D.O., Deposition, March 7, 2006:**

Page 26, line 22 - page 27, line 15 - OVERRULED

Page 28, line 4 - line 9 - OVERRULED

Page 38, line 22 - page 41, line 8 - SUSTAINED

Page 41, line 14 - page 42, line 13 - SUSTAINED

Page 42, line 15 - line 22 - SUSTAINED

3. **Joseph Black, Ph.D., Deposition, March 13, 2006:**

Page 55, line 14 - page 56, line 6 - OVERRULED

Page 61, line 4 - line 17 - SUSTAINED

Page 62, line 1 - line 10 - STRICKEN

Page 63, line 15 - page 64, line 5 - SUSTAINED

4. **Michael A. Benham, Deposition, August 1, 2005:**

Page 8, line 4 - page 10, line 11 - SUSTAINED

Page 9, line 22 - page 10, line 11 - SUSTAINED

Page 36, line 3 - line 7 - SUSTAINED

5. **Rodney Mullins, Deposition, June 9, 2005:**

Page 23, line 3 - line 9 - OVERRULED.

IT IS SO ORDERED.

Date: May 5, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE